IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
FIRST APPEAL NO.1992 OF 2005

OFFICE NOTES, OFFICE MEMORANDUM OF CORAM, APPEARANCES, COURT'S ORDERS OR DIRECTIONS AND REGISTRAR'S ORDERS	COURT'S OR JUDGES ORDERS

CORAM : A. S. OKA, J.

DATE : JANUARY 23, 2007.

P.C.:

1. Heard Shri Mehta appearing for the Appellant. By the impugned order the Employees' Insurance Court, Mumbai has exercised power under the proviso to sub-section 2(B) of section 75 of the Employees' State Insurance Act, 1948. By the impugned order the learned Judge has waived the condition of pre-deposit under sub-section 2(B) of section 75 of the said Act of 1948.

2. The Appeal under section 82 of the said Act of 1948 is maintainable on a substantial question of law. The order impugned is purely a procedural order which

does not decide the rights between the parties. Apart from this fact, the learned Judge has mentioned the ground on which he has exercised discretion under the proviso. No case is made out for interference. Appeal is dismissed. The learned Judge will dispose of the pending Application as expeditiously as possible.

JUDGE